IN THE HIGH COURT OF UTTARANCHAL AT- NAINITAL

W.P. No. 847 of 2003 (M/B)
(Old No. 28424 of 1999)

Smt. Jaimati Devi …….. Petitioner

Versus

Director General, Assam Rifles & others …….. Respondents

Hon. P.C. Verma, A.C.J.
Hon. Rajesh Tandon, J.

Heard Mr. Rajendra Dobhal, learned counsel for the petitioner and Mr. P.S. Adhikari, learned Standing Counsel.

The writ petition has been filed by the petitioner seeking a writ of mandamus commanding the respondents to register the petitioner's complaint and investigate into the matter regarding Shri Trilok Singh, son of the petitioner and if on investigation it is found that the son of the petitioner is dead, then pay the compensation to the petitioner.

The court vide its order dated 27.7.1999 required the respondents to file a short counter affidavit, which has been filed. In para 4 of the short counter affidavit, it has been admitted that Trilok Singh was missing and in para 5 it has been stated that an FIR has been lodged by Naib Subedar Harka Bahadur Rai and missing report was submitted by Col. Y.S. Yadav, Presiding Officer, recruitment rally, Dewalthal. In one line, a submission has been made that Trilok Singh did not reach to the centre and school for training, but he absconded / absented himself enroute between Lucknow and Gorakhpur. Since the FIR has been lodged, therefore, the relief prayed for stands granted.

The respondents including the Investigation Agency are directed to complete the investigation as early as possible and to inform the petitioner so that he may take further action in the light of the said report.

With the aforesaid observations, the writ petition is disposed of finally.

(Rajesh Tandon J.) **(P.C.Verma, A.C.J.)**

Dt. 23.03.2004.
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